

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA :

v. : Criminal No. 1:22-CR-00114

RASHAWN PERKINS :

Defendant :

MOTION TO SUPPRESS UNLAWFUL SEARCHES

Rashawn Perkins, through counsel, moves this Court for entry of an Order suppressing the unlawful searches conducted pursuant to invalid search warrants and any and all resulting evidence that was gathered from that use, either directly or indirectly. The search warrants at question in this case, executed on Facebook for account Rashawn.Perkins.52 and at 7971 Audubon Avenue, #202, Alexandria, Virginia, were issued by state authorities in Fairfax County, Virginia, by request of the Fairfax County Police Department. The affidavits in support of those warrants contained material falsehoods and omissions which, if known, would result in the warrants not issuing; therefore, their issuance violates the Fourth and Fourteenth Amendment rights of your Defendant. An evidentiary hearing, pursuant to *Franks v. Delaware*, 438 U.S. 154 (1978), and *United States v. Lull*, 824 F.3d 109 (4th Cir. 2016), is requested, to determine the scope of the violations and so that improperly obtained evidence and the fruits thereof can be suppressed. Additionally, the

Facebook warrant was overly broad compared to the probable cause, if any, established. Further, the search of Audubon Avenue failed to establish a nexus between the accused and it being his residence, where evidence of a crime would be found.

A memorandum of facts and law has been separately submitted to the Court, and is hereby incorporated into the present motion.

WHEREFORE, the Court is asked to hold a hearing on this motion, grant this motion, suppress the illegally obtained evidence which resulted from the illegal searches, and provide any other relief that is deemed just and proper.

Rashawn Perkins
By Counsel

/S/

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CERTIFICATE OF SERVICE

I hereby certify that on 8 August 2022, a true copy of the foregoing was filed with CM/ECF system prompting electronic copies to be sent to all counsel of record.

/S/

Bret Lee